

Subject:
IUGG Comments on IAG Statutes
From:
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Date:
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As discussed in Perugia, I had a meeting with Jo Ann Joselyn the day after the Council meeting. She suggested that 4 changes were required to the Statutes (none to the Bylaws). I think these 4 are good suggestions - however they come too late for the IAG Council to make the changes as the Council meetings were, by then, over. Christian rang her and it was agreed that the IAG would formally note these suggestions and the IAG Council would consider them at the first opportunity (likely to be 2011). I agreed to document her suggested changes. They are as follows.

1. Statute 7(e) states "The delegate appointed by an adhering body must have previously participated in IAG activities." This wording is unchanged from the Statutes accepted in Budapest. However Jo Ann pointed out, quite correctly, that the IAG Council has no power through its statutes to direct the adhering bodies as to who they appoint. This clause is ultra vires and has no effect. If a delegate is appointed by an adhering body, despite not having previously participated in IAG activities, their status as delegate on Council could not be refused by the IAG. However it is reasonable for the IAG Council to provide clear advice to adhering bodies as to the characteristics expected of a delegate. This can be achieved by changing the word "must" in Statute 7(e) to "should" which will ensure that the wording does have some standing and it is reasonable to expect that it will be followed by adhering bodies - rather than completely ignored as they are entitled to do with the current ultra vires wording.

2. Statute 13(b) states "... need the support of one third of the delegates ...". This is a new provision. It is ambiguous as to how the delegates are counted. The requirements of the IUGG for a quorum are "one third of the delegates from countries eligible to vote" and Jo Ann suggested this wording. The number of such countries is currently 50 so the number required by this clause would be 17.

3. Statute 14(b) states "... the number of Delegates present must be at least half of the adhering bodies represented at the General Assembly of the IUGG ...". This wording is unchanged from the Statutes accepted in Budapest. However the quorum requirements of the IUGG are, as in point 2 above "one third of the delegates from countries eligible to vote". The IAG can choose to have higher quorum requirements than the IUGG but not lesser. As the basis for calculating the number of delegates is different (the number attending rather than the number eligible) this creates a potential conflict. Note also that this number (currently one third of 50 or 17) will always be known at the start of a meeting, unlike the situation on the 2nd July Council meeting where it was

initially uncertain whether we had a quorum or not. That is an unsatisfactory position to be in when running a meeting.

4. Statute 14(g) states "... shall be conducted according to Robert's Rules of Order." This wording is unchanged from the Statutes accepted in Budapest. However Robert's Rules of Order is periodically updated leaving ambiguity as to which edition applies. The current edition recommended by the IUGG is the 10th Edition. The IUGG periodically issues guidelines as to which edition should be used. To remove the ambiguity this should read "... shall be conducted according to the edition of Robert's Rules of Order currently recommended by the IUGG."

Between now and when these are able to be considered by the IAG Council, I think the IAG should be mindful of the comments in points 1, 2 and 4 and when calculating the quorum for a Council meeting in accordance with item 3, should also ensure that this does not fall below the minimum number as calculated by the IUGG formula (currently 17).

I have also attached copies of the final documents. These have 3 versions for each of the Statutes and Bylaws:

- July 9 Council changes - this is the full document with the changes made on July 9 shown as tracked changes
- July 9 Council updated - the same as above with all the tracked changes applied and updated
- July 9 Council final - this contains only the final Statutes / Bylaws - the source text and comments have been removed

Best regards,

Don

IAG_Statutes-July 9 Council updated.doc

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